
TITLE 820 STATE BOARD OF COSMETOLOGY EXAMINERS

**Administrative Rules Oversight Committee Notice
60 Day Requirement ([IC 4-22-2-19](#))
LSA Document #06-151**

July 14, 2006

Senator R. Michael Young, Chair
Administrative Rules Oversight Committee
c/o Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Attn: Sarah Burkman

Re: LSA 06-151 – Proposed rule regarding fees assessed by the Indiana State Board of Cosmetology Examiners

Dear Senator Young:

On behalf of the Indiana State Board of Cosmetology Examiners, Indiana Professional Licensing Agency, I am submitting this notice to the Administrative Rules Oversight Committee in compliance with [IC 4-22-2-19](#) which requires an agency to begin the rulemaking process not later than sixty (60) days after the effective date of the statute that authorizes the rule.

The Board published its notice of intent to adopt a rule, LSA document number 05-137, at 28 IR 2999 on July 1, 2005, within sixty (60) days after the effective date of SEA 139 (P.L.194-2005) in compliance with [IC 4-22-2-19](#). The Notice of Public Hearing appeared in the November 1, 2005, edition of the Indiana Register at 29 IR 652 and a public hearing was held on November 28, 2005. Following the public hearing, the board adopted one section of the proposed rule, [820 IAC 7-1-2](#). This rule was filed with the Secretary of State on February 10, 2006, and was published at 29 IR 2195. The remainder of the rule was not adopted as the Board needed additional time to review the comments submitted by the public and to determine the amount of fees which should be assessed to bring the rules into conformity with the statutory changes in SEA 139 (P.L.194-2005) and [IC 25-1-8-2\(c\)](#), which requires that in no case shall the fees be less than are required to pay all of the costs, both direct and indirect, of the operation of the Board. [IC 25-1-8-2\(b\)](#) provides that fees established by statute shall remain in effect until replaced by a new fee adopted by rule.

A new notice of intent, LSA document number 06-151, was published on June 1, 2006, concerning the same subject matter.

Your understanding of these circumstances is greatly appreciated. If you need additional information, please do not hesitate to contact me at 234-1987.

Sincerely,

Barbara Marvel McNutt
Chief Counsel

Cc: Frances L. Kelly, Executive Director
Wade Lowhorn, Deputy Director
Tracy Hick, Deputy Director

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